

## **REMARKS**

This Amendment and the following remarks are intended to fully respond to the Office Action mailed July 19, 2006. In that Office Action, claims 1-21 and 26-29 were examined, and all claims were rejected. Claims 1-21 and 26-29 stand rejected under 35 U.S.C. § 102(e) as being unpatentable over Burd (USPN 6,990,653), hereinafter “Burd.” Reconsideration of these rejections, as they might apply to the original and amended claims in view of these remarks, is respectfully requested.

In this Response, claim 1 has been amended. No claims have been canceled or added. Therefore, claims 1-21 and 26-29 remain present for examination. The claim amendments have been made to expedite the allowance of this application and not necessarily to overcome the cited prior art. Applicants reserve the right to pursue broader claims in future continuation applications.

### **Interview Summary**

Applicants would like to thank Examiner Chuck Kendall for his assistance during a telephone interview held on September 21, 2006 with Applicant’s representative Tadd Wilson. During the interview, Mr. Wilson explained the differences between the prior art and the present invention. Suggested claim amendments were proposed and are as reflected in the claim amendments above.

### **Claim Rejections – 35 U.S.C. § 102**

Claims 1-21 and 26-29 stand rejected under 35 U.S.C. § 102(e) as being unpatentable over Burd. Applicant respectfully traverses the § 102(e) rejections because either the Examiner has failed to state a prima facie case of anticipation or the current amendments to the claims now render the Examiner's arguments moot. A prima facie case of anticipation can be met only

where the reference teaches each and every aspect of the claimed invention. See MPEP §§ 706.02 & 2136. Indeed, Burd does not teach “device class-specific user interface display properties” nor “the replacing at least one default property with the device class-specific user interface display properties.”

Burd teaches a data model that the Examiner believes equates to the device class-specific user interface display properties. The data model in Burd is quite different from the device class-specific user interface display properties. Importantly, “[a] data model is data structure, containing elements that are related to the elements of the active content file from which source code can be derived. The data model contains structural elements that were referenced in the active content file and these elements are connected so as to represent the structure of the resulting control objects of the active server page. In an embodiment of the invention, the data model is a combination of objects that are linked in a hierarchical tree structure.” *Burd*, col. 14, lines 31-39. The device class-specific user interface display properties, as embodied in the claims, are included in the application not a data model. In addition, the device class-specific user interface display properties are part of the application and not a separate structure such as the data model.

Finally, Burd states that the data model is used to generate the source code files of the new object class. *See Burd*, col. 7, lines 11-20 (“Once the ASP+ page 310 is read into memory, the page factory module 308 processes the file content to build a data model of the page (e.g., lists of script blocks, directives, static text regions, hierarchical server-side control objects, server-side control properties, etc.). The data model is used to generate a source code file of a new object class, such as a COM+ (Component Object Model+) class, that extends the page base class, which is the code that defines the structure, properties, and functionality of a page

object.”). The system of Burd creates the data model “to store elements of the dynamic web page content file, evaluates the data model and generates a source code file related to the dynamic web page content file based on the evaluation of the data model.” *Burd*, col. 3, lines 21-24. The data model of Burd, at best, could possibly provide a small portion of the information needed to create the device class-specific user interface display properties, but the data model is not the same because the data model does not have properties or represent a device class. As such, the system of Burd and the device class-specific user interface display properties are very different.

In addition, Burd fails to teach replacing at least one default property with the device class-specific user interface display properties. Burd describes a method of using the data model to generate the source code file. “[T]he method step of evaluating the data model involves the recursive traversal of the data model during a plurality of passes. During each pass, source code is generated and written to the source code file based on the evaluation of the data model during that pass. The data model is constructed using data structures that linked in a hierarchical manner.” *Burd*, col. 3, lines 43-49. However, no where in Burd is it taught that a default property is replaced with the device class-specific user interface display properties. Rather, only default properties are generated without relation to any user interface device.

For the foregoing reasons and differences, the claim 1 must be allowed over Burd. Likewise, since claims 2-12 and 26-29 depend from claim 1, claims 2-12 and 26-29 must also be allowed over Burd. Examiner uses the same reasoning applied to claim 1 to reject claim 13. As such, the above arguments also apply to claim 13. Claim 13 must also be allowed over Burd, and claims 14-21, which depend from claim 13, are also allowable over Burd. Applicants respectfully request the withdrawal of the rejections and the issuance of a notice of allowance.

### **Conclusion**

This Amendment fully responds to the Office Action mailed on July 19, 2006. Still, that Office Action may contain arguments and rejections and that are not directly addressed by this Amendment due to the fact that they are rendered moot in light of the preceding arguments in favor of patentability. Hence, failure of this Amendment to directly address an argument raised in the Office Action should not be taken as an indication that the Applicants believe the argument has merit. Furthermore, the claims of the present application may include other elements, not discussed in this Amendment, which are not shown, taught, or otherwise suggested by the art of record. Accordingly, the preceding arguments in favor of patentability are advanced without prejudice to other bases of patentability.

Applicants wish to draw the Examiner's attention to the following co-pending applications, which have been assigned to Microsoft Corporation, which might relate to this application: Application No. 09/934,122 entitled "Method and System for Interacting with Devices Having Different Capabilities"; Application No. 09/999,565 entitled "Method and System for Predicting Optimal Html Structure Without Look-Ahead"; and Application No. 10/269,072 entitled "Adaptive Image Formatting Control."

It is believed that no further fees are due with this Response. However, the Commissioner is hereby authorized to charge any deficiencies or credit any overpayment with respect to this patent application to deposit account number 13-2725.

In light of the above remarks, it is believed that the application is now in condition for allowance, and such action is respectfully requested. Should any additional issues need to be resolved, the Examiner is requested to telephone the undersigned to attempt to resolve those issues.

Respectfully submitted,



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